

Application No. 10/572,853
Amendment dated December 27, 2010
After Final Office Action of October 27, 2010

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Docket No.: 80246(302741)

AMENDMENTS TO THE CLAIMS

Claims 1-11 (Canceled)

Claim 12 (Currently Amended): A fermented plant extract obtained by a method for fermentation and culture comprising the following steps:

fermenting a material derived from an edible plant which contains a glucide whose major component is a polysaccharide, at about 37°C, said plant having a facultative anaerobic gram-negative bacterium by Pantoea agglomerans which lives in a symbiotic relationship exclusively with the plant; and

simultaneously culturing solely said facultative anaerobic gram-negative bacterium in a medium with neutral pH containing no component derived from an animal;

wherein said edible plant is selected from a food grain, a seaweed, a bean curd refuse, and a mixture thereof.

Claim 13 (Previously Presented): Fermented plant extract powder obtained from the fermented plant extract according to claim 12.

Claim 14 (Previously Presented): A pharmaceutical containing the fermented plant extract according to claim 12.

Claim 15 (Canceled)

Claim 16 (Previously Presented): The fermented plant extract according to claim 12 which exhibits an ability of macrophage activation even with a presence of polymyxin B.

Claim 17 (Previously Presented): The fermented plant extract according to claim 12 which has an immunopotentiation activity.

Claim 18 (Previously Presented): A food containing the fermented plant extract according to claim 12.

Claim 19 (Previously Presented): A bath agent containing the fermented plant extract according to claim 12.

Claim 20 (Previously Presented): A pharmaceutical containing the fermented plant extract powder according to claim 13.

Claim 21 (Previously Presented): A food containing the fermented plant extract powder according to claim 13.

Claim 22 (Previously Presented): A bath agent containing the fermented plant extract powder according to claim 13.

Claims 23-27 (Canceled)

Claim 28 (Currently Amended): A composition containing the fermented plant extract according to claim [[26]] 12.

Claim 29 (Currently Amended): A composition containing the fermented plant extract powder according to claim [[27]] 13.

Claim 30-38 (Canceled)

Claim 39 (new) A fermented plant extract obtained by a method for fermentation and culture comprising:

fermenting a solution of wheat flour treated with amylase by *Pantoea agglomerans*, and simultaneously culturing solely in a medium containing no component derived from an animal.

Claim 40 (new) A fermented plant extract obtained by a method for fermentation and culture comprising:

fermenting a solution containing bean curd refuse by *Pantoea agglomerans*, and
simultaneously culturing solely in a medium containing no component derived from an
animal.

Claim 41 (new) A fermented plant extract obtained by a method for fermentation and
culture comprising:

fermenting a solution containing rice powder by *Pantoea agglomerans*, and
simultaneously culturing solely in a medium containing no component derived from an
animal.

Claim 42 (new) A fermented plant extract obtained by a method for fermentation and
culture comprising:

fermenting a solution containing brown seaweed mekabu by *Pantoea agglomerans*, and
simultaneously culturing solely in a medium containing no component derived from an
animal.